



APPENDIX "C"

CERTIFICATE OF SUBSTANTIAL PERFORMANCE
(Form 7 – Construction Remedies Act, S.N.B. 2020, c.29, s.42)

Town in which land is located: Town of Riverview

County in which land is located: Albert County

Civic address/location of the land: McAllister Park

Contract Name/Description of the improvement: Riverview Storm Sewer Improvement and Infrastructure Renewal - McAllister Park - Various Streets

Contract No: #24-69

Name of the Owner: Town of Riverview
Address for service: 30 Honour House Court
Riverview, NB
E1B 3Y9
c/o Annette Crummey, Director/Town Clerk

Name of Contractor: Foulem Construction
Address for service: 392 St-Pierre Ouest Boulevard
Caraquet, NB E1W 1B7

Name of Project Engineer (Payment Certifier): David Kozak
Address: EXP Services Inc.
555 Mapleton Rd
Moncton, NB E1G 2K5

I, David Kozak, Project Engineer, as per the *Construction Remedies Act*, SNB 2020, c 29 (the "Act") do hereby certify that all works required under this contract are "Substantially Performed" as of the 7 day of October 2024. It is understood that the "warranty and maintenance period" commences as of this date and that the following contract requirements have been fully met;

- a. All sewer mains have passed sewer leakage tests, which were carried out on Not Applicable. (Attach completed Appendix "A")
- b. All required CCTV sewer video inspections were completed on July 3rd, July 5th, August 7th & August 20th and the video and video reports have been distributed as required. I hereby certify that the condition of the sewer meets or exceeds the requirements as outlined in the latest edition of the Town of Riverview Standard Municipal Specifications.
- c. All water mains have passed water pressure and bacteriological tests, which were carried out on Not Applicable. (Attach completed Appendix "B")



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- d. All product and material tests conducted throughout the works of this contract have been reviewed and submitted. I hereby certify that the condition of the works meets or exceeds the requirements as outlined in the latest edition of the Town of Riverview Standard Municipal Specifications.
 - e. Department of Environment Certificate of Approval, *if any*, and any applicable watercourse alteration approvals are attached.
 - f. A letter from the Workers Compensation Board is attached, stating that the contractor whose name appears on the Certificate of Substantial Performance is in good standing and has paid all required premiums in full.
2. A complete inspection of the works was carried out on September 19, 2024, and those present were: David Kozak, Steven LeBouthillier, Jean-Jacques Michon, Megan Kent

The deficiency list was prepared. Yes X No _____ (If yes, please attach). All items on the attached deficiency list have been addressed by the contractor and an additional inspection conducted on _____, by _____, confirmed that all deficiencies have been corrected and all work completed under this contract to date, meets or exceeds standards as required in the latest edition of the Town of Riverview Standard Municipal Specifications.

-OR -

3. The total contract price is: \$1,892,430.00 and as per the Act, the contract is considered substantially performed when the cost to complete the contract and the cost to correct all know defect are less than the following:
- (i) 3% of the first \$250,000 of the contract price,
 - (ii) 2% of the next \$250,000 of the contract price, and
 - (iii) 1% of the balance of the contract price.

Based on the above, the cost to complete the contract and the cost to correct all know defects are: \$12,750.00 which is less than \$26,424.30

4. Is this contract entirely complete? Yes _____ No X
If any portion of this contract is not entirely completed, a separate written list identifying all uncompleted items explaining the particulars must accompany this certificate.
5. The release of holdback will become due 60 days from the date of signing of this certificate, being the 6 day of December 2024.

Dated: October 7, 2024

Signed: _____

Project Engineer



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We, the undersigned, do hereby certify that all matters relating to this contract have been completed to our satisfaction and that this Certificate of "Substantial Performance" can be issued.

Date: Oct 8, 2024 Signed: 
Director Engineering & Works

Cc: Owner
Contractor
Consultant